

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Women Development, Child Welfare & Disabled Welfare (Estt.) Department - Smt. K.Rajeswari, Retired A.P.O., Mahaboobnagar – W.P.No.16190/09 filed by Department against order of APAT, Dt.28.01.2009 in O.A.No.5873/07 – Payment of Interest on delayed payment of Pension and Gratuity – Orders – Issued.

WOMEN DEVELOPMENT, CHILD WELFARE & DISABLED WELFARE (ESTT.)
DEPARTMENT

G.O.Rt.No. 189

Dated the 21st May, 2010.
Read the following:-

1. G.O.Rt.No.64, WD, CW & DW (Estt) Deptt., Dt.17.02.2010.
2. From G.P. for Ser-II, High Court of A.P., Lr.No.16190/09, Dt.17.04.2010.
3. From Dy.Registrar, High Court Notice, Dt.30.04.2010.
4. From the Dir, WD & CW, Hyderabad Lr.No.6913/D2/06, Dt.07.05.10.

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ORDER:-

In the letter 2nd read above, G.P for Ser-II, High Court has reported that the W.P.No.16190 of 2009 came up for hearing before a Division Bench of the Hon'ble High Court, consisting of Hon'ble Sri Justice V.Eswaraiah and Hon'ble Sri Justice Vilas V. Afzulpurkar, on 16.04.2010. The Hon'ble Court was pleased to dispose of the Writ Petition, by modifying the order of the Hon'ble APAT, by reducing the rate of interest to be paid to the Applicant in the O.A. from 18% to 9% per annum. The Hon'ble Court did not appreciate the action of the Government in issuing Orders vide 1st read above, in proposing to recover an amount of Rs.1,34,931/-, without conducting proper enquiry into the matter for effecting recovery in accordance with law. The Hon'ble Court held that if the amounts ordered by the Hon'ble Tribunal along with interest at 9% per annum are not paid to the Respondent in the Writ Petition, within four weeks, it would be considered as an act of Contempt of Court and that the Respondent in the C.C.No.1511/09, would be directed to appear before the Hon'ble High Court on the re-opening day after summer vacation. However, if a memo. of compliance is filed before that date, they need not appear in person

2. The High Court of A.P. in their order, dated 16.04.2009 has directed the Registrar of High Court to issue notice for appearance of the Respondents on 11.06.2010 to show cause for non-compliance of their orders of the Tribunal, as ordered by the High Court on 07.08.2009, and that if the orders are complied with, the contemnors need not appear instead they can file compliance report.

3. In the letter 4th read above, the Director, Women Development & Child Welfare Department, Hyderabad has furnished the statement showing the calculation of interest to a tune of Rs.59,939/- on the delayed payment of Pension and Gratuity for the period from 01.08.2006 to 31.07.2009.

(P.T.O.)

4. After careful consideration of the above matter, in partial modification of the orders issue vide 1st read above, Government hereby accord permission to the Director, Women Development & Child Welfare Department, Hyderabad to pay an amount of Rs.59,939/- towards interest on the delayed payment of Pension and Gratuity to Smt. K.Rajeswari, Asst. Project Officer (Retired), Mahboobnagar for the above period.

5. The Director, Women Development & Child Welfare Department, Hyderabad shall take immediate necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M. CHAYA RATAN,
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To

Smt. K.Rajeswari, Asst. Project Officer (Retired) , Mahboobnagar through the
Director, Women Development & Child Welfare, Hyderabad
The Director, Women Development & Child Welfare, Hyderabad
The PAO, AP Hyderabad
The AG, AP, Hyderabad
SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER